

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.03.2016

CORAM :

The Hon'ble MR.SANJAY KISHAN KAUL, CHIEF JUSTICE
AND

The Hon'ble MR.JUSTICE M.M.SUNDRESH

W.P. No.12078 of 2016

and

W.M.P.Nos.10447 and 10448 of 2016

E.Chennaya Naidu

... Petitioner

-Vs-

1. The District Collector,
Krishnagiri District, Krishnagiri.
2. The District Revenue Officer,
Krishnagiri District, Krishnagiri.
3. The Revenue Divisional Officer,
Krishnagiri District, Krishnagiri.
4. The Tahsildar,
Pochampalli Taluk, Krishnagiri District.
5. The Chief Educational Officer,
Krishnagiri District, Krishnagiri.
6. The Assistant Director,
Geology and Mining Department,
Collectorate Office, Krishnagiri.
7. The Superintending Engineer,
PWD Buildings (C&M) Circle,
Post Box No.724,
Kumarasampatty Post, Salem.
8. V.P.N.Construction,
Prop. Natarajan, Contractors,
PWD, NO.3/486, Vadamalampatti
(PO), Pochampalli Tk., Krishnagiri Dist.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Certiorarified Mandamus to call for the records pertaining to land conversion proceedings in Na.Ka.11527/2014 H3 dated 26.09.2014 issued by the 1st respondent, quash the same and consequently, cancel the tender in letter No.T.147/D.B/D.O2/F.RMSA/2016, dated 14.01.2016 issued by the 7th respondent to 8th respondent and restore the earlier position of the pathway canal in S.No.802/1 of Kadappasanthampatti village, Pochampalli Taluk, Krishnagiri District.

For Petitioner : Mr.S.Vijayakumar

For Respondents : Mr.S.T.S.Murthi,
Government Pleader, assisted by
Mr.V.R.Kamalanathan,
Additional Government Pleader &
Mr.V.Shanmuga Sundar,
Government Advocate

O R D E R

(Order of the Court was made by The Hon'ble Chief Justice)

The petition, styled as a Public Interest Litigation, has been filed by the petitioner alleging that land has been allotted to the Education Department for construction of a school and the pathway is an Eri Poramboke. Thus, he claims that water ways will be affected.

2.The photographs show that there is a tarred road existing for quite sometime. The school is being built next to the tarred road. Not only that, there is an inspection carried out at the site and as per proceedings of the District Collector dated 26.09.2014, the Revenue Divisional Officer, on inspection on 25.06.2014, has opined that the land is lying in the east of the tarred road and is surrounded by other land. Thus, at its centre, 0.57 hectares land can be transferred to the Education Department. The land in question is lying in the north east direction in Kalarpathy Mindigiri Road and sandy minerals and stiff rocks are seen in the shore level at the place.

3.The petitioner has now approached the Court since tender is already allotted and work has commenced by the Contractor / 7th respondent.

4.In view of all the aforesaid facts, we see no reason to interfere with the decision of the respondent authorities while exercising the Public Interest Litigation jurisdiction.

5.Writ Petition stands dismissed. No costs. Consequently,
W.M.P.Nos.10447 and 10448 of 2016 also stand dismissed.

Sd/-
Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

sra

To

1. The District Collector,
Krishnagiri District, Krishnagiri.
2. The District Revenue Officer,
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Collectorate Office, Krishnagiri.
7. The Superintending Engineer,
PWD Buildings (C&M) Circle,
Post Box No.724,
Kumarasampatty Post, Salem.

+1cc to Mr.S.Vijayakumar, Advocate, S.R.No.20772
+1cc to the Government Pleader, S.R.No.20555

W.P.No.12078 of 2016

VSN(CO)
CA(12/04/2016)